

Message Text

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FOR NAC MEETING MAY 3

E.O. 11652: XGDS-1

TAGS: NATO, XM

SUBJECT:NATO EXPERTS REPORT ON THE SITUATION IN LATIN
AMERICA -- PANAMA CANAL TREATIES

REFERENCES: (A) USNATO 4272; (B) STATE 111030

1. FOLLOWING ARE TALKING POINTS ON PANAMA CANAL TREATY.
MISSION MAY DRAW UPON THESE AS APPROPRIATE IN MAY 3 DISCUS-
SION OF EXPERT'S REPORT AND SHOULD CIRCULATE ENTIRE PAPER.

2. BEGIN TALKING POINTS -- THE APPROVAL OF THE PANAMA CANAL
TREATIES BY THE SENATE OPENS A NEW ERA IN UNITED STATES RE-
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LATIONS WITH PANAMA AND LATIN AMERICA.

-- THE PANAMA CANAL TREATIES WERE APPROVED BY A WIDE MAJORITY
-- BUT ONLY A ONE VOTE MARGIN MORE THAN THE NECESSARY TWO-
THIRDS OF THE SENATE.

-- THE ADMINISTRATION'S GOAL IN THE SENATE WAS TO BE RE-

SPONSIVE TO SENATE CONCERNS REGARDING PROVISIONS OF THE TREATIES WITHOUT MAKING A SUBSTANTIAL CHANGE IN THE TEXTS OF THE TREATIES WHICH HAD ALREADY BEEN APPROVED BY A PLEBISCITE IN PANAMA. (THE SENATE CONSIDERATION OF THE TREATIES

BEGAN WITH APPARENTLY OVERWHELMING PUBLIC DISAPPROVAL.) THIS WAS ACCOMPLISHED BY ACCEPTING RESERVATIONS AND UNDERSTANDINGS THAT WILL BE INCLUDED IN THE INSTRUMENTS OF RATIFICATION, CLARIFYING WITHOUT ALTERING THE MEANING OF THE TEXTS OF THE TREATIES.

-- THESE RESERVATIONS AND UNDERSTANDINGS WERE ACCEPTABLE TO PANAMA WITH ONE NOTABLE EXCEPTION, THE RESERVATION TO THE NEUTRALITY TREATY AUTHORED BY SENATOR DECONCINI.

-- UNDER HIS RESERVATION EITHER THE UNITED STATES OR PANAMA COULD TAKE "ANY ACTION IT DEEMS NECESSARY, INCLUDING THE USE OF MILITARY FORCE IN ACCORDANCE WITH ITS CONSTITUTIONAL PROCESSES, TO DEFEND THE PANAMA CANAL."

-- AS THE DEADLINE FOR THE SENATE'S VOTE ON THE NEUTRALITY TREATY APPROACHED, THE ADMINISTRATION REALIZED THAT IT WAS A COUPLE OF VOTES SHORT OF THE NEEDED TWO-THIRD'S. RECOGNIZING THE NEED FOR SENATOR DECONCINI'S VOTE THE ADMINISTRATION DECIDED TO ACCEPT HIS RESERVATION. ACCEPTING THE DECONCINI RESERVATION ALSO WON OVER SENATOR
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HATFIELD OF MONTANA, THUS SECURING THE 67 SENATE VOTES FOR APPROVAL OF THE NEUTRALITY TREATY.

-- TO CLARIFY THE ADMINISTRATION'S INTERPRETATION OF THE RESERVATION IN PANAMA, SENATOR CHURCH MADE AN INTERPRETATIVE STATEMENT ON THE SENATE FLOOR IN ORDER TO SOFTEN THE INTERVENTIONIST IMPLICATION OF THE LANGUAGE OF THE RESERVATION.

-- WHAT WE DID NOT EXPECT WAS SENATOR DECONCINI'S STATEMENT ON THE SENATE FLOOR ELABORATING ON THE LANGUAGE OF HIS RESERVATION. IT WAS THIS STATEMENT AS MUCH AS THE RESERVATION ITSELF THAT PROVOKED WIDESPREAD OPPOSITION IN PANAMA.

-- WITH THE ACCEPTANCE OF DECONCINI'S RESERVATION THE ADMINISTRATION KNEW THAT SUBSEQUENT STEPS WOULD HAVE TO BE TAKEN BY THE SENATE TO REAFFIRM OUR COMMITMENT IN THE NEUTRALITY TREATY NOT TO INTERVENE IN PANAMA'S INTERNAL AFFAIRS OR VIOLATE ITS SOVEREIGN INTEGRITY.

-- THIS WAS A DELICATE UNDERTAKING SINCE MANY SENATORS

BEGAN TO TAKE SIDES IN THE DEVELOPING CONTROVERSY. WORK-
ING CLOSELY WITH THE PANAMANIAN GOVERNMENT AND THE SENATE
LEADERSHIP, A SOLUTION WAS REACHED BY ADOPTING A LEADER-

SHIP RESERVATION TO THE PANAMA CANAL TREATY (THAT REFERS
AS WELL TO THE NEUTRALITY TREATY) REAFFIRMING UNITED
STATES ADHERENCE TO THE PRINCIPLE OF NON-INTERVENTION.

-- WITH THIS ACTION WIDESPREAD OPPOSITION IN PANAMA TO
THE DECONCINI RESERVATION WAS SUBSTANTIALLY REDUCED.

-- PRESIDENT CARTER WILL VISIT PANAMA ON JUNE 16-17 TO
DELIVER INSTRUMENTS OF RATIFICATION WHICH WILL BECOME
EFFECTIVE ON MARCH 31, 1979 UNLESS THE CONGRESS PASSES
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IMPLEMENTING LEGISLATION BEFORE THAT DATE. THE DELAY
IN THE EFFECTIVE DATE WAS REQUIRED BY A SENATE RESERVA-
TION DESIGNED TO ALLOW THE CONGRESS TIME TO ENACT THE
NECESSARY LEGISLATION TO IMPLEMENT THE TREATIES. THE
TREATIES ENTER INTO FORCE SIX MONTHS AFTER THE EFFECTIVE
DATE OF RATIFICATION, OCTOBER 1, 1979.

-- THIS DELAY WILL PROVIDE NEEDED TIME FOR TRANSITION
PLANS TO BE FULLY DEVELOPED.

-- TO MY MIND, THE SUCCESSFUL CONCLUSION OF THE PANAMA
CANAL NEGOTIATIONS AND PASSAGE OF THE TREATIES BY THE
SENATE ILLUSTRATES THE ADMINISTRATION'S COMMITMENT TO
WORK HARD DOMESTICALLY TO ACHIEVE IMPORTANT FOREIGN
POLICY GOALS. AS I HAVE NOTED ONLY A MINORITY OF THE
UNITED STATES PUBLIC ACTIVELY FAVORED THE TREATIES AT
THE OUTSET, AND, AS YOU KNOW, OPPONENTS WERE UNCOMMONLY
VOCAL IN THEIR OPPOSITION.

-- AS A RESULT OF SUBSTANTIAL PUBLIC AFFAIRS EFFORT THE
ADMINISTRATION TURNED PUBLIC OPINION AROUND FROM A
STRONGLY NEGATIVE ATTITUDE TO A MAJORITY IN FAVOR.

-- THE SUPPORT OF THE NEW TREATIES BY OUR EUROPEAN
ALLIES HELPED GREATLY IN CONVINCING THE SENATE THAT ITS
APPROVAL WAS RIGHT. THIS SUPPORT WAS APPRECIATED.
END TALKING POINTS VANCE

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